

1 PHILLIP A. TALBERT
2 United States Attorney
3 PETER K. THOMPSON
Acting Regional Chief Counsel
3 DANIEL P. TALBERT
4 Special Assistant United States Attorney
Social Security Administration
160 Spear Street, Suite 800
5 San Francisco, CA 94105
Telephone: (510) 970-4860
6 Facsimile: (415) 744-0134
7 Attorneys for Defendant
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14 UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA
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17 FRESNO DIVISION

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19 RONALD CODY SARGENT,
20 Plaintiff,
21 v.
22 KILOLO KIJAKAZI,
23 Acting Commissioner of Social Security,
24 Defendant.¹

25 No. 1:21-cv-00523-SKO

26 STIPULATION AND PROPOSED ORDER
27 TO REMAND PURSUANT TO SENTENCE
28 FOUR OF 42 U.S.C. § 405(g)

(Doc. 14)

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30 The parties stipulate, subject to the approval of the Court, that this action shall be remanded
31 to the Commissioner of Social Security pursuant to section 205(g) of the Social Security Act, as
32 amended, 42 U.S.C. § 405(g), sentence four. Upon remand, the Appeals Council will remand the
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¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant
39 to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted,
40 therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to
41 continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42
42 U.S.C. § 405(g).

case to an administrative law judge for a new hearing and a new decision. The parties further stipulate that the clerk shall enter judgment in favor of Plaintiff and against Defendant.

Respectfully submitted,

DATE: January 18, 2022

s/ *Melissa Newel*
MELISSA NEWEL
Attorney for Plaintiff
(authorized via email)

PHILLIP A. TALBERT
United States Attorney

DATE: January 18, 2022

By s/Daniel P. Talbert
DANIEL P. TALBERT
Special Assistant United States Attorney

Attorneys for Defendant

ORDER

Based upon the parties' foregoing Stipulation and Order to Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) ("Stipulation to Remand") (Doc. 14), and for cause shown, IT IS HEREBY ORDERED that the above-captioned action is remanded to the Acting Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation to Remand.

The Clerk of Court is hereby DIRECTED to: (1) enter judgment in favor of Plaintiff Ronald Cody Sargent and against Defendant Kilolo Kijakazi, Acting Commissioner of Social Security; and (2) administratively close this file.

IT IS SO ORDERED.

Dated: **January 19, 2022**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE